

REMARKS

Claims 1-5, 9, 12-14, 16 and 24 are pending in the above-identified application. Claim 16 has been amended so as to correspond to a traditional “composition” claim. New claim 24 has been added as an additional “composition” claim as well. Support for both of these claims is found in original claim 16, for example.

Submission of Information Disclosure Statement

Accompanying this Submission is an Information Disclosure Statement (IDS) which was not considered previously in connection with the Amendment in Response to Final Office Action filed April 12, 2010. It is believed that the present IDS complies with all applicable requirements and should be considered by the Examiner. The listed references are not being re-submitted as these are already part of the record and appear on PAIR.

Request for Consideration of IDS Filed September 15, 2009

It is respectfully requested that the Examiner officially consider the IDS filed September 15, 2009, a copy of which is enclosed with this Submission. It is submitted that all applicable requirements for consideration of this IDS have been satisfied.

Advisory Action and Allowable Subject Matter

The Advisory Action of May 17, 2010 indicates that the Patent Examiner maintained the obviousness rejection based on Gao '208 (US 6,028,208) and alternatively the combination of references as mentioned at page 10 of the Response filed April 12, 2010. Also, the Information Disclosure Statement filed with the Response was not entered of record.

Regarding the previous obviousness rejections as noted above, it is requested that these rejections now be withdrawn. The Patent Examiner stated on the telephone on May 18, 2010 that the compound and composition claims appeared to be allowable over the prior art of record. Consequently, it is submitted in view of these comments, as well as for the reasons supporting the distinctions over the previously cited references, that the present application should now be placed into condition for allowance. It is further noted that the accompanying IDS should be

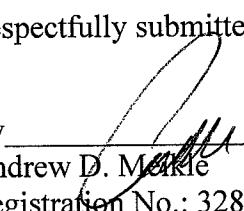
considered and entered of record. Finally, it is submitted that the other issues raised previously in the Final Office Action of December 11, 2009.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: June 4, 2010

Respectfully submitted,

By 
Andrew D. Meikle
Registration No.: 32868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

Enclosures: Copies of Information Disclosure Statements filed April 12, 2010 and September 15, 2009